

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 13-3081-CR-MDH
)	
MARK RICHARD DALLMAN,)	
)	
Defendant.)	
)	

REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

This matter comes before the Court on the issue of the defendant's competency to stand trial. On October 17, 2014, at the request of the defendant, the Court ordered a psychological evaluation (Doc. 45). Judith (Betsy) Campbell, Ph.D., Forensic Psychologist at the Federal Medical Center in Lexington, Kentucky, evaluated the defendant between January 9, 2015, and March 25, 2015. Her report was submitted to the Court on April 28, 2015. The undersigned held a hearing on May 7, 2015, on the question whether the defendant is competent to stand trial pursuant to 18 U.S.C. § 4241. The defendant appeared in person with counsel. No evidence was presented, other than the Forensic Report on the defendant's competency to stand trial prepared by Doctor Campbell.

After thorough evaluation, Doctor Campbell opined that the defendant is competent to proceed. She stated:

In summary, Mr. Dallman displayed a basic understanding of the proceedings against him and demonstrated sufficient present ability to consult with his attorney regarding the charges against him should he so choose. Therefore, based on the available information, in the opinion of the undersigned evaluator, Mr. Dallman is **not** currently suffering from mental disease or defect rendering him

mentally incompetent to the extent he is unable to assist in his defense. Thus, in the opinion of the examiner, Mr. Dallman is currently competent to stand trial.

Based upon the opinion of Doctor Campbell, which was the only evidence before the Court on the question of competency, the undersigned respectfully **RECOMMENDS** that Defendant Mark Richard Dallman be declared competent to stand trial.

IT IS SO ORDERED.

DATED: May 8, 2015

/s/ *David P. Rush*
DAVID P. RUSH
United States Magistrate Judge